



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 825** HLS 10RS 1206
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: April 9, 2010	9:42 AM	Author: ABRAMSON
Dept./Agy.: Corrections		
Subject: Human Trafficking		Analyst: Matthew LaBruyere

CRIME/SEX OFFENSES

EG INCREASE GF EX See Note

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Adds the crimes of human trafficking and trafficking of children for sexual purposes to the list of sex offenses and crimes of violence

The proposed legislation retains the provisions of R.S. 14.2(B) and adds trafficking of children for sexual purposes and human trafficking to list of crimes of violence. The proposed legislation retains the provisions of R.S. 15.541(2) and adds trafficking of children for sexual purposes to list of aggravated offenses, retains provisions of R.S. 15:541(24) and adds trafficking of children for sexual purposes and human trafficking to list of sex crimes, and amends R.S. 15:541(25)(c).

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable since it adds trafficking of children for sexual purposes and human trafficking to the list of crimes of violence and sex crimes and it is not known how many people will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$54.49. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

Currently, an offender sentenced under either crime would earn a diminution of sentence (good time) at a rate of 30 days for every 30 days in actual custody. An inmate convicted a first time of a crime of violence will earn diminution of sentence at a rate of 3 days for every 17 days in actual custody.

According to the Department of Public Safety and Corrections, there is 1 offender incarcerated for the crime of human trafficking with a sentence of 18 years. The offender was the only offender admitted in 2009 and none were admitted in 2008. There are currently no offenders incarcerated for the crime of trafficking of children for sexual purposes.

Under the current law, which does not classify the offense as a crime of violence, the aforementioned offender may earn 30 days of good time for 30 days in actual custody and therefore would serve a total of 9 years. Under the proposed legislation, which makes this a crime of violence, the offender would earn diminution of sentence of 3 days for every 17 days in actual custody; thus the offender would serve 14.8 years. For illustrative purposes, if the offender convicted of human trafficking served an additional 5.8 years as a state offender at a local facility, the cost would be \$51,634 (\$24.39 per day x 365 days x 5.8 years).

REVENUE EXPLANATION

There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of fines created by this legislation would accrue to local government entities. It should be noted that including trafficking of children for sexual purposes to aggravated offenses requires an offender to register as a sex offender for the duration of his lifetime. Any increase in revenue would be realized after an offender’s initial 25 years of notification under current law.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$500,000 Annual Fiscal Cost		<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost	 Robert E. Hosse LFO Staff Director
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease	